

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN RE:

VANESSA OLIVAS

Debtor

\* Chapter 13  
\*  
\*  
\* Bankruptcy No. 20-30671-HCM  
\*  
\*  
\*

**MOTION FOR COMPENSATION  
ON A CASE PENDING DISMISSAL**

**This pleading requests relief that may be adverse to your interests.**

**If no timely response is filed within 21 days from the date of service, the relief requested herein may be granted without a hearing being held.**

**A timely filed response is necessary for a hearing to be held.**

TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. BANKRUPTCY JUDGE:

COMES NOW, Edgar Borrego/Miguel Flores, Movant and attorneys for Debtor, and files this Motion for Attorney Compensation on a Case Pending Possible Dismissal, as grounds thereof, would respectfully show the Court as follow:

I.

Debtor filed a petition under Chapter 13 on June 6,2020. The case has not been confirmed.

II.

Debtor's plan payments are \$570.00 for 60 months. The plan base is \$34,200.00. Thus far, \$0.00 was paid towards attorney's fees prior to the case filing. The balance due for attorney's fees is \$3,600.00. There has been no request for additional attorney's fees. Since the filing of the case, there have been 20 docket entries before filing this motion.

III.

Services performed by the Movant include:

1. Several consultations with the Debtor both with his attorney and the Legal Assistant.
2. Preparation of petition, schedules, and statements.
3. Appearance and representation of Attorney at Debtors' 341 Meeting of Creditors.
4. Several Confirmation Hearing Resets handled by Attorney, Edgar J. Borrego.
5. Several discussions with Chapter 13 Trustee regarding confirmation of Debtor's case and continued delinquency.
6. Thus far, only the Trustee has filed an Objection to Confirmation.
7. Thus far, Movant has spent approximately 5 hours in attorney time and 4 hours in legal assistant time. The hourly wage for Attorney, Edgar J. Borrego/ Miguel A. Flores is \$250.00 per hour and the Legal Assistant, \$100.00 per hour.

IV.

There exists a possible likelihood that the case will be dismissed for failure to provide the 2017 and 2018 Taxes as well as failing to make the first plan payment in the amount of \$570.00. Movant's services will go unpaid unless funds in the Trustee's possession are used for such expense. Thus far, \$2,893.88 has been paid to the trustee. Prior to the filing Debtor paid \$0.00 in attorney's fees, leaving an unpaid balance of \$3,600.00. Movant requests up to \$1,650.00 if, as or when the case gets dismissed for attorney's fees.

V.

Attached to this Motion is Exhibit A showing the form of proposed order.

WHEREFORE, PREMISES CONSIDERED, Movant/Attorneys pray that foregoing Motion be granted and all other relief deserved under the circumstances.

Respectfully submitted,

  
Edgar J. Borrego State Bar No. 00787107  
Miguel Flores State Bar No. 24036574  
Attorney for Debtor  
2610 Montana  
El Paso, TX. 79903  
Tel: 915-566-4300  
Fax: 915-566-1122  
[efile@tanzyborrego.com](mailto:efile@tanzyborrego.com)

CERTIFICATE OF SERVICE

I hereby certify that on 19 day of Jan, 2021 a true and correct copy of the above and foregoing was served upon the following parties via electronic means as listed on the court's ECF noticing system or by regular first class mail to all on the attached matrix.

  
EDGAR J. BORREGO  
MIGUEL A. FLORES  
Attorney for Debtor

Tb#40063/AG

Label Matrix for local noticing

0542-3

Case 20-30671-hcm

Western District of Texas

El Paso

Thu Jan 14 11:56:32 CST 2021

Attorney General

10th &amp; Constitution N.W.

Main Justice Bldg. #5111

Washington, DC 20530-0001

U.S. BANKRUPTCY COURT  
511 E. San Antonio Ave., Rm. 444  
EL PASO, TX 79901-2417Arts of intstitute Dallas  
8080 Park Ln N Suite 100  
Dallas, TX 75231-5900Conn Appliances, Inc.  
c/o Becket and Lee LLP  
PO Box 3002  
Malvern PA 19355-0702Conns  
P.O. Box 965061  
Orlando, FL 32896-5061Dr. Carol N Abalih MD  
3030 Joe Battle Blvd. Ste. B  
El Paso, TX 79938-2668GECU  
P.O. Box 20998  
El Paso, TX 79998-0998Hospital of Providence - Sierra  
1625 Medical Center Drive  
El Paso, TX 79902-5005Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346Internal Revenue Service  
Special Procedures Staff- Insolvency  
P.O. Box 7346  
Philadelphia, PA 19101-7346Pendrick Capital Partners, LLC  
Peritus Portfolio Services II, LLC  
PO BOX 141419  
IRVING, TX 75014-1419(p) PROCOLLECT INC  
12170 ABRAMS RD SUITE 100  
DALLAS TX 75243-4579Procollect Inc  
c/o Vista Village Apartments  
10535 Montwood Dr # 45  
El Paso, TX 79935-2728TEXAS GAS SERVICE  
P.O.BOX 401  
OKLAHOMA CITY, OK 73101-0401U.S. Attorney/FHA/HUD/IRS/VA  
601 N.W. Loop 410  
Suite 600  
San Antonio, TX 78216-5512United States Trustee - EP12  
U.S. Trustee's Office  
615 E. Houston, Suite 533  
P.O. Box 1539  
San Antonio, TX 78295-1539Edgar J. Borrego  
Tanzy & Borrego Law Offices  
2610 Montana Ave.  
El Paso, TX 79903-3712Stuart C. Cox  
El Paso Chapter 13 Trustee  
1760 N. Lee Trevino Dr.  
El Paso, TX 79936-4565Vanessa Olivas  
1000 Kingswreath  
El Paso, TX 79907-2910

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Procollect Inc  
12170 Abrams Road  
Dallas, TX 75243End of Label Matrix  
Mailable recipients 19  
Bypassed recipients 0  
Total 19